

106TH CONGRESS
2D SESSION

H. R. 4504

AN ACT

To make technical amendments to the Higher
Education Act of 1965.

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To make technical amendments to the Higher Education
Act of 1965.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; REFERENCE; EFFECTIVE DATE.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Higher Education Technical Amendments of 2000”.

4 (b) REFERENCE.—Except as otherwise expressly pro-
5 vided in this Act, whenever in this Act an amendment or
6 repeal is expressed in terms of an amendment to, or repeal
7 of, a section or other provision, the reference shall be con-
8 sidered to be made to a section or other provision of the
9 Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

10 (c) EFFECTIVE DATE.—Except as otherwise provided
11 in this Act, the amendments made by this Act shall take
12 effect as if enacted as part of the Higher Education
13 Amendments of 1998 (Public Law 105–244).

14 **SEC. 2. TECHNICAL AMENDMENTS.**

15 (a) AMENDMENTS TO TITLE I.—

16 (1) Section 101(a)(1) (20 U.S.C. 1001(a)(1)) is
17 amended by inserting before the semicolon at the
18 end the following: “, or students who meet the re-
19 quirements of section 484(d)(3)”.

20 (2) Section 102(a)(2)(A) (20 U.S.C.
21 1002(a)(2)(A)) is amended to read as follows:

22 “(A) IN GENERAL.—For the purpose of
23 qualifying as an institution under paragraph
24 (1)(C), the Secretary shall establish criteria by
25 regulation for the approval of institutions out-
26 side the United States and for the determina-

tion that such institutions are comparable to an institution of higher education as defined in section 101 (except that a graduate medical school, or a veterinary school, located outside the United States shall not be required to meet the requirements of section 101(a)(4)). Such criteria shall include a requirement that a student attending such school outside the United States is ineligible for loans made, insured, or guaranteed under part B unless—

“(i) in the case of a graduate medical school located outside the United States—

“(I)(aa) at least 60 percent of those enrolled in, and at least 60 percent of the graduates of, the graduate medical school outside the United States were not persons described in section 484(a)(5) in the year preceding the year for which a student is seeking a loan under part B of title IV; and

“(bb) at least 60 percent of the individuals who were students or graduates of the graduate medical school outside the United States (both

1 nationals of the United States and
2 others) taking the examinations ad-
3 ministered by the Educational Com-
4 mission for Foreign Medical Grad-
5 uates received a passing score in the
6 year preceding the year for which a
7 student is seeking a loan under part
8 B of title IV; or

9 “(II) the institution has a clinical
10 training program that was approved
11 by a State as of January 1, 1992; or

12 “(ii) in the case of a veterinary school
13 located outside the United States that does
14 not meet the requirements of section
15 101(a)(4)—

16 “(I) the institution was certified
17 by the Secretary as eligible to partici-
18 pate in the loan program under part
19 B of title IV before October 1, 1999;
20 and

21 “(II) the institution’s students
22 complete their clinical training at an
23 approved veterinary school located in
24 the United States.”.

1 (3) Section 102(a)(3)(A) (20 U.S.C.
2 1002(a)(3)(A)) is amended by striking “section
3 521(4)(C) of the Carl Perkins Vocational and Ap-
4 plied Technology Education Act” and inserting “sec-
5 tion 3(3)(C) of the Carl D. Perkins Vocational and
6 Technical Education Act of 1998”.

7 (4) Section 103(7) (20 U.S.C. 1003(7)) is
8 amended to read as follows:

9 “(7) NEW BORROWER.—The term ‘new bor-
10 rower’ when used with respect to any date for any
11 loan under any provision of—

12 “(A) part B or part D of title IV means
13 an individual who on that date has no out-
14 standing balance of principal or interest owing
15 on any loan made, insured, or guaranteed under
16 either such part; and

17 “(B) part E of title IV means an indi-
18 vidual who on that date has no outstanding bal-
19 ance of principal or interest owing on any loan
20 made under such part.”.

21 (5) Section 131(a)(3)(A)(iii) (20 U.S.C.
22 1015(a)(3)(A)(iii)) is amended—

23 (A) by striking “an undergraduate” and
24 inserting “a full-time undergraduate”; and

1 (B) in subclause (I), by striking “section
2 428(a)(2)(C)(i)” and inserting “section
3 428(a)(2)(C)(ii)”.

4 (6) Section 131(b) is amended by striking “the
5 costs for typical” and inserting “the prices for, and
6 financial aid provided to, typical”.

7 (7) Section 131(c)(2)(B) is amended by striking
8 “costs” and inserting “prices”.

9 (8) Section 131(d)(1) is amended by striking
10 “3 years” and inserting “4 years”.

11 (9) Section 141 (20 U.S.C. 1018) is amended—

12 (A) in subsection (a)(2)(B), by inserting
13 “total and unit” after “to reduce the”;

14 (B) in subsection (c)—

15 (i) in paragraph (1)(A), by striking
16 “Each year” and inserting “Each fiscal
17 year”;

18 (ii) in paragraph (1)(B), by inserting
19 “guaranty agencies,” after “lenders,”; and

20 (iii) in paragraph (2)—

21 (I) in subparagraph (A), by strik-
22 ing “expenditures” and inserting “ad-
23 ministrative expenditures for the most
24 recent fiscal year”; and

1 (II) in subparagraph (B), by
2 striking “Chief Financial Officer Act
3 of 1990 and” and inserting “Chief Fi-
4 nancial Officers Act of 1990,” and by
5 inserting before the period at the end
6 the following: “, and other relevant
7 legislation”;

8 (C) in subsection (f)(3)(A), by striking
9 “paragraph (1)(A)” and inserting “paragraph
10 (1)”; and

11 (D) in subsection (g)(3), by adding at the
12 end the following new sentence: “The names
13 and compensation for those individuals shall be
14 included in the annual report under subsection
15 (c)(2).”.

16 (b) AMENDMENTS TO TITLE III.—

17 (1) Subsection (g) of section 324 (20 U.S.C.
18 1063(g)) is amended to read as follows:

19 “(g) SPECIAL RULE FOR CERTAIN DISTRICT OF CO-
20 LUMBIA ELIGIBLE INSTITUTIONS.—

21 “(1) HOWARD UNIVERSITY.—In any fiscal year
22 that the Secretary determines that Howard Univer-
23 sity will receive an allotment under subsections (b)
24 and (c) which is not in excess of amounts received
25 for such fiscal year by Howard University under the

1 Act of March 2, 1867 (14 Stat. 438; 20 U.S.C.
2 123), relating to the annual appropriations for How-
3 ard University, then Howard University shall be in-
4 eligible to receive an allotment under this section.

5 “(2) UNIVERSITY OF THE DISTRICT OF COLUM-
6 BIA.—In any fiscal year, the University of the Dis-
7 trict of Columbia may receive financial assistance
8 under this part, or under section 4(c) of the District
9 of Columbia College Access Act of 1999 (Pubic Law
10 106–98), but not under both this part and such sec-
11 tion.”.

12 (2) Section 326(e)(1) (20 U.S.C. 1063b(e)(1))
13 is amended, in the matter preceding subparagraph
14 (A), by inserting a colon after “the following”.

15 (3) Section 342(5)(C) (20 U.S.C. 1066a(5)(C))
16 is amended—

17 (A) by inserting a comma after “equip-
18 ment” the first place it appears; and

19 (B) by striking “technology,,” and insert-
20 ing “technology,”.

21 (4) Section 343(e) (20 U.S.C. 1066b(e)) is
22 amended by inserting after the subsection designa-
23 tion the following: “SALE OF QUALIFIED
24 BONDS.—”.

1 (5) Section 1024 (20 U.S.C. 1135b–3), as
2 transferred by section 301(a)(5) of the Higher Edu-
3 cation Amendments of 1998 (Public Law 105–244;
4 112 Stat. 636), is repealed.

5 (c) AMENDMENTS TO PART A OF TITLE IV.—

6 (1) Section 402D (20 U.S.C. 1070a–14) is
7 amended—

8 (A) by redesignating subsection (c) as sub-
9 section (d); and

10 (B) by inserting after subsection (b) the
11 following new subsection:

12 “(c) SPECIAL RULE.—

13 “(1) USE FOR STUDENT AID.—A recipient of a
14 grant that undertakes any of the permissible services
15 identified in subsection (b) may, in addition, use
16 such funds to provide grant aid to students if the re-
17 cipient demonstrates in its application, to the satis-
18 faction of the Secretary, that the size of the grants
19 the recipient will provide to students is appropriate
20 and likely to have a significant impact on retention
21 at that institution. In making grants to students
22 under this subsection, an institution shall ensure
23 that adequate consultation takes place between the
24 student support service program office and the insti-
25 tution’s financial aid office.

1 “(2) ELIGIBLE STUDENTS.—For purposes of
2 receiving grant aid under this subsection, eligible
3 students shall be current participants in the student
4 support services program offered by the institution
5 and be—

6 “(A) students who are in their first 2 years
7 of postsecondary education and who are receiv-
8 ing Federal Pell Grants under subpart 1; or

9 “(B) students who have completed their
10 first 2 years of postsecondary education and
11 who are receiving Federal Pell Grants under
12 subpart 1 if the institution demonstrates to the
13 satisfaction of the Secretary that—

14 “(i) these students are at high risk of
15 dropping out; and

16 “(ii) it will first meet the needs of all
17 its eligible first- and second-year students
18 for services under this paragraph.

19 “(3) DETERMINATION OF NEED.—A grant pro-
20 vided to a student under paragraph (1) shall not be
21 considered in determining that student’s need for
22 grant or work assistance under this title, except that
23 in no case shall the total amount of student financial
24 assistance awarded to a student under this title ex-

1 ceed that student's cost of attendance, as defined in
2 section 472.

3 “(4) MATCHING REQUIRED.—A recipient of a
4 grant who uses such funds for the purpose described
5 in paragraph (1) shall match the funds used for
6 such purpose, in cash, from non-Federal funds, in
7 an amount that is not less than 33 percent of the
8 total amount of funds used for that purpose. This
9 paragraph shall not apply to any grant recipient
10 that is an institution of higher education eligible to
11 receive funds under part A or B of title III or title
12 V.

13 “(5) RESERVATION.—For any fiscal year after
14 the date of the enactment of the Higher Education
15 Technical Amendments of 2000, the Secretary may
16 reserve not more than 20 percent of the funds avail-
17 able under this section for grant aid in accordance
18 with this subsection.”.

19 (2)(A) Section 404A(b) (20 U.S.C. 1070a–
20 21(b)) is amended by adding at the end thereof the
21 following new paragraph:

22 “(3) DURATION.—An award made by the Sec-
23 retary under this chapter to an eligible entity de-
24 scribed in paragraph (1) or (2) of subsection (c)
25 shall be for a period of 6 years.”.

1 (B) The amendment made by subparagraph (A)
2 shall be effective for awards made for fiscal year
3 2000 and succeeding fiscal years, except that the
4 Secretary shall permit recipients of 5-year grants
5 made for fiscal year 1999 to amend their applica-
6 tions to include a 6-year project period.

7 (3) Section 415A(a)(2) (20 U.S.C. 1070c(a)(2))
8 is amended by striking “section 415F” and inserting
9 “section 415E”.

10 (4) Section 415E(c) (20 U.S.C. 20 U.S.C.
11 1070c–3a(c)) is amended to read as follows:

12 “(c) AUTHORIZED ACTIVITIES.—Each State receiv-
13 ing a grant under this section may use the grant funds
14 for—

15 “(1) making awards that—

16 “(A) supplement grants received under
17 section 415C(b)(2) by eligible students who
18 demonstrate financial need; or

19 “(B) provide grants under section
20 415C(b)(2) to additional eligible students who
21 demonstrate financial need;

22 “(2) providing scholarships for eligible
23 students—

24 “(A) who demonstrate financial need; and

25 “(B) who—

1 “(i) desire to enter a program of
2 study leading to a career in—

3 “(I) information technology;

4 “(II) mathematics, computer
5 science, or engineering; or

6 “(III) another field determined
7 by the State to be critical to the
8 State’s workforce needs; or

9 “(ii) demonstrate merit or academic
10 achievement and desire; and

11 “(3) making awards that—

12 “(A) supplement community service work-
13 study awards received under section 415C(b)(2)
14 by eligible students who demonstrate financial
15 need; or

16 “(B) provide community service work-
17 study awards under section 415C(b)(2) to addi-
18 tional eligible students who demonstrate finan-
19 cial need.”.

20 (5) Section 415E (20 U.S.C. 20 U.S.C. 1070c–
21 3a) is amended by adding at the end the following:

22 “(f) SPECIAL RULE.—Notwithstanding subsection
23 (d), for purposes of determining a State’s share of the cost
24 of the authorized activities described in subsection (c)—

1 “(1) in the case of a State that participates in
2 the program authorized under this section in fiscal
3 year 2000—

4 “(A) if such State participates in the pro-
5 gram in fiscal year 2001, for that year the
6 State shall consider only those expenditures
7 from non-Federal sources that exceed its ex-
8 penditures for activities authorized under this
9 subpart for fiscal year 1999; or

10 “(B) if such State does not participate in
11 the program in fiscal year 2001, but partici-
12 pates in the program in a succeeding fiscal
13 year, for the first fiscal year after fiscal year
14 2001 in which the State participates in the pro-
15 gram, the State shall consider only those ex-
16 penditures from non-Federal sources that ex-
17 ceed its expenditures for activities authorized
18 under this subpart for the preceding fiscal year,
19 or fiscal year 1999, whichever is greater; and

20 “(2) in the case of a State that participates in
21 the program authorized under this section for the
22 first time after fiscal year 2000, for the first fiscal
23 year in which the State participates in the program,
24 the State shall consider only those expenditures from
25 non-Federal sources that exceed its expenditures for

1 activities authorized under this subpart for the pre-
 2 ceding fiscal year.

3 “(g) USE OF FUNDS FOR ADMINISTRATIVE COSTS
 4 PROHIBITED.—A State receiving a grant under this sec-
 5 tion shall not use any of the grant funds to pay adminis-
 6 trative costs associated with any of the authorized activi-
 7 ties described in subsection (e).”.

8 (6) Section 419C(b)(1) (20 U.S.C. 1070d–
 9 33(b)(1)) is amended by inserting “and” after the
 10 semicolon at the end thereof.

11 (7) Section 419D(d) (20 U.S.C. 1070d–34(d))
 12 is amended by striking “Public Law 95–1134” and
 13 inserting “Public Law 95–134”.

14 (d) AMENDMENTS TO PART B OF TITLE IV.—

15 (1) Section 425(a)(1)(A)(i)(II) (20 U.S.C.
 16 1075(a)(1)(A)(i)(II)) is amended to read as follows:

17 “(II) if such student is enrolled in a
 18 program of undergraduate education that
 19 is less than one academic year, the max-
 20 imum annual loan amount that such stu-
 21 dent may receive may not exceed the lesser
 22 of—

23 “(aa) the amount that bears the
 24 same ratio to the amount specified in
 25 subclause (I) as the length of such

1 program measured in semester, tri-
2 mester, quarter, or clock hours bears
3 to one academic year; or

4 “(bb) the amount that bears the
5 same ratio to the amount specified in
6 subclause (I) as the length of such
7 program measured in weeks of in-
8 struction bears to one academic
9 year;”.

10 (2) Section 428(a)(2)(A) (20 U.S.C.
11 1078(a)(2)(A)(i)) is amended—

12 (A) by striking “and” at the end of sub-
13 clause (II) of clause (i); and

14 (B) by moving the margin of clause (iii)
15 two ems to the left.

16 (3) Section 428(b)(1) is amended—

17 (A) in subparagraph (A)(i), by striking
18 subclause (II) and inserting the following:

19 “(II) if such student is enrolled
20 in a program of undergraduate edu-
21 cation that is less than one academic
22 year, the maximum annual loan
23 amount that such student may receive
24 may not exceed the lesser of—

1 “(aa) the amount that bears
 2 the same ratio to the amount
 3 specified in subclause (I) as the
 4 length of such program measured
 5 in semester, trimester, quarter,
 6 or clock hours bears to one aca-
 7 demic year; or

8 “(bb) the amount that bears
 9 the same ratio to the amount
 10 specified in subclause (I) as the
 11 length of such program measured
 12 in weeks of instruction bears to
 13 one academic year;”; and

14 (B) in subparagraph (Y)(i), by striking
 15 “subparagraph (M)(i)” and inserting “subpara-
 16 graph (M)(i)(I)”.

17 (4) Section 428(c)(3)(B) (20 U.S.C.
 18 1078(c)(3)(B)) is amended by inserting before the
 19 semicolon at the end the following: “and recorded in
 20 the borrower’s file, except that such regulations shall
 21 not require such agreements to be in writing”.

22 (5) Section 428C(a)(3)(B) (20 U.S.C. 1078–
 23 3(a)(3)(B)) is amended by adding at the end the fol-
 24 lowing new clause:

1 “(ii) Loans made under this section shall, to
2 the extent used to discharge loans made under this
3 title, be counted against the applicable limitations on
4 aggregate indebtedness contained in section
5 425(a)(2), 428(b)(1)(B), 428H(d), 455, and
6 464(a)(2)(B).”.

7 (6) Section 428H(d)(2)(A)(ii) (20 U.S.C.
8 1078–8(d)(2)(A)(ii)) is amended to read as follows:

9 “(ii) if such student is enrolled in a
10 program of undergraduate education that
11 is less than one academic year, the max-
12 imum annual loan amount that such stu-
13 dent may receive may not exceed the lesser
14 of—

15 “(I) the amount that bears the
16 same ratio to the amount specified in
17 clause (i) as the length of such pro-
18 gram measured in semester, trimester,
19 quarter, or clock hours bears to one
20 academic year; or

21 “(II) the amount that bears the
22 same ratio to the amount specified in
23 subclause (I) as the length of such
24 program measured in weeks of in-

1 instruction bears to one academic
2 year;”.

3 (7) Section 428H(e) is amended—

4 (A) by striking paragraph (6); and

5 (B) by redesignating paragraph (7) as
6 paragraph (6).

7 (8) Section 432(m)(1) (20 U.S.C. 1082(m)(1))
8 is amended—

9 (A) in subparagraph (B)—

10 (i) in clause (i), by inserting “and”
11 after the semicolon at the end; and

12 (ii) in clause (ii), by striking “; and”
13 and inserting a period;

14 (B) by striking clause (iv) of subparagraph
15 (D); and

16 (C) by adding at the end the following new
17 subparagraph:

18 “(E) PERFECTION OF SECURITY INTER-
19 ESTS IN STUDENT LOANS.—

20 “(i) IN GENERAL.—Notwithstanding
21 the provisions of any State law to the con-
22 trary, including the Uniform Commercial
23 Code as in effect in any State, a security
24 interest in loans made under this part, on
25 behalf of any eligible lender (as defined in

1 section 435(d)) shall attach, be perfected,
2 and be assigned priority in the manner
3 provided by the applicable State’s law for
4 perfection of security interests in accounts,
5 as such law may be amended from time to
6 time (including applicable transition provi-
7 sions). If any such State’s law provides for
8 a statutory lien to be created in such
9 loans, such statutory lien may be created
10 by the entity or entities governed by such
11 State law in accordance with the applicable
12 statutory provisions that created such a
13 statutory lien.

14 “(ii) COLLATERAL DESCRIPTION.—In
15 addition to any other method for describ-
16 ing collateral in a legally sufficient manner
17 permitted under the laws of the State, the
18 description of collateral in any financing
19 statement filed pursuant to this section
20 shall be deemed legally sufficient if it lists
21 such loans, or refers to records (identifying
22 such loans) retained by the secured party
23 or any designee of the secured party iden-
24 tified in such financing statement, includ-
25 ing the debtor or any loan servicer.

1 “(iii) SALES.—Notwithstanding
 2 clauses (i) and (ii) and any provisions of
 3 any State law to the contrary, other than
 4 any such State’s law providing for creation
 5 of a statutory lien, an outright sale of
 6 loans made under this part shall be effec-
 7 tive and perfected automatically upon at-
 8 tachment as defined in the Uniform Com-
 9 mercial Code of such State.”.

10 (9) Section 435(a)(5) (20 U.S.C. 1085(a)(5)) is
 11 amended—

12 (A) in subparagraph (A)(i), by striking
 13 “July 1, 2002,” and inserting “July 1, 2004,”;
 14 and

15 (B) in subparagraph (B), by striking
 16 “1999, 2000, and 2001” and inserting “1999
 17 through 2003”.

18 (10) Subparagraphs (A) and (F) of section
 19 438(b)(2) (20 U.S.C. 1087–1(b)(2)) are each
 20 amended by striking the last sentence.

21 (11) Section 439(d) (20 U.S.C. 1087–2(d)) is
 22 amended by striking paragraph (3).

23 (e) AMENDMENT TO PART C OF TITLE IV.—Section
 24 443(b)(2)(B) (42 U.S.C. 2753(b)(2)(B)) is amended by
 25 inserting “(including a reasonable amount of time spent

1 in travel or training directly related to such community
 2 service)” after “community service”.

3 (f) AMENDMENT TO PART D OF TITLE IV.—Para-
 4 graph (6) of section 455(b) (20 U.S.C. 1087e(b)), as re-
 5 designated by section 8301(c)(1) of the Transportation
 6 Equity for the 21st Century Act (112 Stat. 498) is redes-
 7 ignated as paragraph (8), and is moved to follow para-
 8 graph (7) as added by 452(b) of the Higher Education
 9 Amendments of 1998 (112 Stat. 1716).

10 (g) AMENDMENTS TO PART E OF TITLE IV.—

11 (1) Section 462(g)(1)(E)(i)(I) (20 U.S.C.
 12 1087bb(g)(1)(E)(i)(I)) is amended by inserting
 13 “monthly” after “consecutive”.

14 (2) Section 464(c)(1)(D) (20 U.S.C.
 15 1087dd(c)(1)(D)) is amended by redesignating sub-
 16 clauses (I) and (II) as clauses (i) and (ii), respec-
 17 tively.

18 (3) Section 464(c)(2)(A)(iv) is amended by in-
 19 serting before the semicolon at the end the following:
 20 “, except that interest shall continue to accrue on
 21 such loans and such interest shall be eligible for can-
 22 cellation under section 465”.

23 (4) Section 464(h) is amended—

24 (A) in paragraph (1)(A)—

1 (i) by inserting “, and the loan default
2 has not been reduced to a judgment
3 against the borrower,” after “defaulted on
4 the loan”; and

5 (ii) by inserting after “held by the
6 Secretary,” the following: “or if the bor-
7 rower of a loan under this part who has
8 defaulted on the loan elects to make a sin-
9 gle payment equal to the full amount of
10 principal and interest and collection costs
11 owed on the loan,”; and

12 (B) by adding at the end the following new
13 paragraph:

14 “(3) SPECIAL RULE.—At the discretion of the
15 institution or the Secretary, for the purpose of re-
16 ceiving the benefits of this subsection, a loan that is
17 in default and reduced to judgment may be consid-
18 ered rehabilitated if—

19 “(A) the borrower makes 12 on-time, con-
20 secutive, monthly payments of amounts owed on
21 the loan, as determined by the institution, or by
22 the Secretary in the case of a loan held by the
23 Secretary; or

1 “(B) the borrower makes a single payment
2 equal to the full amount of principal and inter-
3 est and collection costs owed on the loan.”.

4 (5)(A) Section 465(a)(2) (20 U.S.C.
5 1087ee(a)(2)) is amended—

6 (i) in subparagraph (A), by striking “sec-
7 tion 111(c)” and inserting “section
8 1113(a)(5)”;

9 (ii) in subparagraph (C), by striking “With
10 Disabilities” and inserting “with Disabilities”;
11 and

12 (iii) in subparagraph (F), by inserting be-
13 fore the semicolon at the end the following: “,
14 including full-time prosecutors and public de-
15 fenders earning \$30,000 or less in adjusted
16 gross income”.

17 (B) The amendment made by subparagraph
18 (A)(iii) shall be effective on the date of the enact-
19 ment of this Act, except that such amendment shall
20 not prevent any borrower who, prior to the date of
21 the enactment of this Act, was receiving cancellation
22 of indebtedness under section 465(a)(2)(F) of the
23 Higher Education Act of 1965 from continuing to
24 receive such cancellation.

1 (6) Section 467(b) (20 U.S.C. 1087gg(b)) is
2 amended by striking “(5)(A), (5)(B)(i), or (6)” and
3 inserting “(4)(A), (4)(B), or (5)”.

4 (7) Section 469(c) (20 U.S.C. 1087ii(c)) is
5 amended—

6 (A) by striking “sections 602(a)(1) and
7 672(1)” and inserting “sections 602(3) and
8 632(5)”;

9 (B) by striking “qualified professional pro-
10 vider of early intervention services” and insert-
11 ing “early intervention services”; and

12 (C) by striking “section 672(2)” and in-
13 serting “section 632(4)”.

14 (h) AMENDMENTS TO PART F OF TITLE IV.—

15 (1) Section 471 (20 U.S.C. 1087kk) is amended
16 by striking “subparts 1 or 2” and inserting “subpart
17 1, 2, or 4”.

18 (2) Section 478(h) (20 U.S.C. 1087rr(h)) is
19 amended—

20 (A) by striking “476(b)(4)(B),”; and

21 (B) by striking “meals away from home,
22 apparel and upkeep, transportation, and house-
23 keeping services” and inserting “food away
24 from home, apparel, transportation, and house-
25 hold furnishings and operations”.

1 (3)(A) Section 479A(a) (20 U.S.C. 1087tt(a))
2 is amended by inserting “a student’s status as a
3 ward of the court at any time prior to attaining 18
4 years of age,” after “487,”.

5 (B) The amendment made by subparagraph (A)
6 shall be effective for academic years beginning on or
7 after July 1, 2001.

8 (i) AMENDMENTS TO PARTS G AND H OF TITLE
9 IV.—

10 (1) Section 482(a) (20 U.S.C. 1089(a)) is
11 amended by adding at the end the following new
12 paragraph:

13 “(5) The Secretary shall provide a period for
14 public comment of not less than 45 days after publi-
15 cation of any notice of proposed rulemaking pub-
16 lished after the date of the enactment of the Higher
17 Education Technical Amendments of 2000 affecting
18 programs under this title.”.

19 (2) Section 483(d) (20 U.S.C. 1090(d)) is
20 amended by striking “that is authorized under sec-
21 tion 685(d)(2)(C)” and inserting “, or other appro-
22 priate provider of technical assistance and informa-
23 tion on postsecondary educational services, that is
24 supported under section 685”.

25 (3) Section 484 (20 U.S.C. 1091) is amended—

1 (A) in subsection (a)(4), by striking “cer-
 2 tification,,” and inserting “certification,”;

3 (B) in subsection (b)(2)—

4 (i) in the matter preceding subpara-
 5 graph (A), by striking “section 428A” and
 6 inserting “section 428H”;

7 (ii) in subparagraph (A), by inserting
 8 “and” after the semicolon at the end
 9 thereof;

10 (iii) in subparagraph (B), by striking
 11 “; and” and inserting a period; and

12 (iv) by striking subparagraph (C);

13 (C) in subsection (d)(3), by inserting “cer-
 14 tifies that he or she” after “The student”; and

15 (D) in subsection (l)(1)(B)(i), by striking
 16 “section 521(4)(C) of the Carl D. Perkins Vo-
 17 cational and Applied Technology Education
 18 Act” and inserting “section 3(3)(C) of the Carl
 19 D. Perkins Vocational and Technical Education
 20 Act of 1998”.

21 (4)(A) Section 484(r)(1) is amended by insert-
 22 ing after “controlled substance” the following: “dur-
 23 ing any period of enrollment for which the student
 24 was receiving assistance under this title”.

25 (B) Section 484(r) is further amended—

1 (i) by redesignating paragraph (3) as para-
2 graph (5); and

3 (ii) by inserting after paragraph (2) the
4 following new paragraphs:

5 “(3) CONSEQUENCES OF FAILURE TO AN-
6 SWER.—Any student who fails to answer a question
7 of the common financial aid form developed under
8 section 483 that relates to eligibility or ineligibility
9 under this subsection shall be treated as ineligible
10 until such question is answered.

11 “(4) NOTICE.—The Secretary shall require each
12 institution of higher education that participates in
13 any of the programs under this title to provide each
14 student upon enrollment with a separate, clear, and
15 conspicuous written notice that advises students of
16 the penalties contained in this subsection.”.

17 (C) The amendments made by this paragraph
18 shall be effective for academic years beginning on or
19 after July 1, 2001.

20 (5)(A) Section 484B (20 U.S.C. 1091b) is
21 amended—

22 (i) in subsection (a)(1), by inserting “sub-
23 part 4 of part A or” after “received under”;

1 (ii) in subsection (a)(3)(B)(ii) by inserting
2 “(as determined in accordance with subsection
3 (d))” after “student has completed”; and

4 (iii) in subsection (b)(2)—

5 (I) in subparagraph (B)(ii), by strik-
6 ing “subject to—” through to the end of
7 such subparagraph and inserting “subject
8 to the procedures described in subpara-
9 graph (C)(ii).”; and

10 (II) by amending subparagraph (C) to
11 read as follows:

12 “(C) GRANT OVERPAYMENT REQUIRE-
13 MENTS.—(i) Notwithstanding subparagraphs
14 (A) and (B), but subject to clause (ii), a stu-
15 dent shall not be required to return 50 percent
16 of the total grant assistance received by a stu-
17 dent under this title for a payment period or
18 period of enrollment. A student shall not be re-
19 quired to return amounts of less than \$50.

20 “(ii) Subject to clause (iii), a student shall
21 be permitted to repay any grant overpayment
22 determined under this section under terms that
23 permit the student to maintain his or her eligi-
24 bility for further assistance under this title, in-

1 including a period during which no payment is
2 due from the student—

3 “(I) for 6 months, beginning on the
4 day the student withdrew; and

5 “(II) while the student is pursuing at
6 least a half-time course of study, as deter-
7 mined by the institution.

8 “(iii) Clause (ii) shall not apply to a stu-
9 dent who is in default on any repayment obliga-
10 tions under this title, or who has not made sat-
11 isfactory repayment arrangements with respect
12 to such obligations.”.

13 (B) The amendments made by subparagraph
14 (A) shall be effective for the academic year begin-
15 ning July 1, 2001, except that, in the case of an in-
16 stitution of higher education that chooses to imple-
17 ment such amendments prior to that date, such
18 amendments shall be effective on the date of such
19 institution’s implementation.

20 (6) Section 485(a)(1) (20 U.S.C. 1092(a)(1)) is
21 amended by striking “mailings, and” and inserting
22 “mailings, or”.

23 (7)(A) Section 485(f)(1) (20 U.S.C. 1092(f)(1))
24 is amended by adding at the end the following new
25 subparagraphs:

1 “(I) A statement of policy concerning the han-
2 dling of reports on missing students, including—

3 “(i) the policy with respect to notification
4 of parents, guardians, and local police agencies
5 and timing of such notification; and

6 “(ii) the institution’s policy for inves-
7 tigating reports on missing students and for co-
8 operating with local police agencies in the inves-
9 tigation of a report of a missing student.

10 “(J) A statement of policy regarding the avail-
11 ability of information, provided by the State to the
12 institution pursuant to section 170101 of the Violent
13 Crime Control and Law Enforcement Act of 1994
14 (42 U.S.C. 14071), regarding sexually violent preda-
15 tors required to register under such section. Such
16 statement shall include, at a minimum, the fol-
17 lowing:

18 “(i) An assurance that the institution shall
19 make available to the campus community,
20 through its law enforcement unit or other of-
21 fice, all such information concerning any person
22 enrolled or employed at the institution.

23 “(ii) The means by which students and
24 employees obtain access to such information.

1 “(iii) The frequency at which such infor-
2 mation is updated.

3 “(iv) The type of information to be made
4 available.

5 “(K) A description of campus fire safety prac-
6 tices and standards, including—

7 “(i) information with respect to each cam-
8 pus residence hall and whether or not such hall
9 is equipped with a fire sprinkler system or other
10 fire safety system;

11 “(ii) statistics concerning the occurrence
12 on campus of fires and false alarms in residence
13 halls, including information on deaths, injuries,
14 and structural damage caused by such occur-
15 rences, if any, during the two preceding cal-
16 endar years for which such data are available;
17 and

18 “(iii) information regarding fire alarms,
19 smoke alarms, fire escape planning or protocols
20 (as defined in local fire codes), rules on portable
21 electrical appliances, smoking and open flames,
22 regular mandatory supervised fire drills, and
23 any planned improvements in fire safety.”.

1 (B) The amendment made by this paragraph
2 shall be effective for academic years beginning on or
3 after July 1, 2001.

4 (8) Section 485(f) is further amended—

5 (A) in paragraph (3), by inserting after
6 the first sentence the following: “In addition,
7 each such institution shall make periodic re-
8 ports to the campus community regarding fires
9 and false fire alarms that are reported to a
10 local fire department.”;

11 (B) in paragraph (5)—

12 (i) by striking “paragraph (1)(F)”
13 and inserting “subparagraphs (F) and (J)”
14 of paragraph (1)”;

15 (ii) by striking “and” at the end of
16 subparagraph (B);

17 (iii) in subparagraph (C), by striking
18 “education, identify” and all that follows
19 through the end and inserting the fol-
20 lowing: “education, identify—

21 “(i) exemplary campus security policies,
22 procedures, and practices and disseminate in-
23 formation concerning those policies, procedures,
24 and practices that have proven effective in the
25 reduction of campus crime; and

“(ii) fire safety policies, procedures, and practices and disseminate information concerning those policies procedures and practices that have proven effective in the reduction of fires on campus; and”;

(iv) by adding at the end the following:

“(D) not later than July 1, 2002, prepare and submit a report to Congress containing—

“(i) an analysis of the current status of fire safety systems in college and university facilities, including sprinkler systems;

“(ii) an analysis of the appropriate fire safety standards to apply to these facilities, which the Secretary shall prepare after consultation with such fire safety experts, representatives of institutions of higher education, and Federal agencies as the Secretary, in the Secretary’s discretion, considers appropriate;

“(iii) an estimate of the cost of bringing all nonconforming residence halls and other campus buildings into compliance with appropriate building codes; and

“(iv) recommendations concerning the best means of meeting fire safety standards in all

1 college facilities, including recommendations for
2 methods of funding such costs.”; and

3 (C) in paragraph (12)(A), by inserting be-
4 fore the semicolon at the end the following:
5 “(other than in dormitories or other residential
6 facilities reported under subparagraph (D))”.

7 (9) Section 485 is further amended by adding
8 at the end the following new subsection:

9 “(h) NEW OR REVISED REQUIREMENTS.—For any
10 new requirement for institutional disclosure or reporting
11 under this Act enacted after April 1, 2000, the period for
12 which data must be collected shall begin no sooner than
13 180 days after the publication of final regulations or guid-
14 ance. The final regulations or guidance shall include any
15 required data elements or method of collection (or both).
16 The Secretary shall take reasonable and appropriate steps
17 to ensure that institutions have adequate time to collect
18 and prepare the required data before public disclosure or
19 submission to the Secretary.”.

20 (10) Section 485B(a) (20 U.S.C. 1092b(a)) is
21 amended—

22 (A) by redesignating the paragraphs fol-
23 lowing paragraph (5) (as added by section 2008
24 of Public Law 101–239) as paragraphs (6)
25 through (11), respectively; and

1 (B) in such paragraph (5)—

2 (i) by striking “(22 U.S.C. 2501 et
3 seq.),” and inserting “(22 U.S.C. 2501 et
4 seq.),”; and

5 (ii) by striking the period at the end
6 thereof and inserting a semicolon.

7 (11) Section 487(a)(22) (20 U.S.C.
8 1094(a)(22)) is amended by striking “refund policy”
9 and inserting “refund of title IV funds policy”.

10 (12) Section 491(c) (20 U.S.C. 1098(c)) is
11 amended by adding at the end the following new
12 paragraph:

13 “(3) The appointment of members under subpara-
14 graphs (A) and (B) of paragraph (1) shall be effective
15 upon publication of the appointment in the Congressional
16 Record.”.

17 (13) Section 498 (20 U.S.C. 1099e) is
18 amended—

19 (A) in subsection (b)(5), by striking “insti-
20 tution,” and inserting “institution (but subject
21 to the requirements of section 484(b)),”; and

22 (B) in subsection (c)(2), by striking “for
23 profit,” and inserting “for-profit,”; and

24 (C) in subsection (d)(1)(B), by inserting
25 “and” at the end thereof.

1 (j) AMENDMENTS TO TITLE V.—

2 (1) Section 504(a) (20 U.S.C. 1101c(a)) is
3 amended—

4 (A) by striking “(1) IN GENERAL.—”; and

5 (B) by striking paragraph (2).

6 (2) The amendments made by this subsection
7 shall be effective on the date of the enactment of
8 this Act.

9 (k) AMENDMENT TO TITLE VI.—Section 604(c) (20
10 U.S.C. 1124(c)) is amended by striking “this part” and
11 inserting “this title”.

12 (l) AMENDMENTS TO TITLE VII.—

13 (1) Section 701(a) (20 U.S.C. 1134(a)) is
14 amended by striking the third sentence and inserting
15 the following: “Funds appropriated for a fiscal year
16 shall be obligated and expended for fellowships
17 under this subpart for use in the academic year be-
18 ginning after July 1 of such fiscal year.”.

19 (2) Section 714(c) (20 U.S.C. 1135c(c)) is
20 amended—

21 (A) by striking “section 716(a)” and in-
22 serting “section 715(a)”; and

23 (B) by striking “section 714(b)(2)” and in-
24 serting “section 713(b)(2)”.

1 (m) AMENDMENT TO TITLE VIII.—Section 857(a) of
2 the Higher Education Amendments of 1998 (112 Stat.
3 1824) is amended by striking “1999” and inserting
4 “2001”.

Passed the House of Representatives June 12, 2000.

Attest:

Clerk.